

ENTERED

November 02, 2021

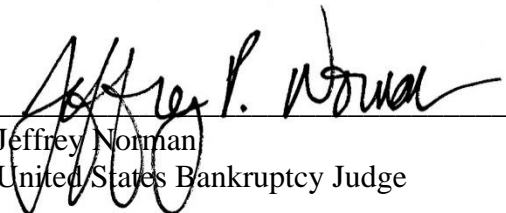
Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION****IN RE:****PREFERRED READY-MIX LLC,****Debtor.**§
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§**CASE NO: 21-33369****CHAPTER 11****ORDER DENYING APPLICATION TO EMPLOY**

This matter is before the Court on the Application to Employ (ECF No. 5) filed by the debtor. The applicant has failed to comply with the Bankruptcy Local Rule 9013-1 regarding pleadings, hearings and service.¹ Counsel failed to include the notice at the top of the application that is required by Bankruptcy Local Rule 9013-1(b),² nor the notice required by Bankruptcy Rule 9013-1(c).³

THEREFORE, IT IS ORDERED that the Application to Employ is denied without prejudice.

SIGNED 11/02/2021



Jeffrey Norman
United States Bankruptcy Judge

¹ The Bankruptcy Local Rules can be found at the following website: <https://www.txs.uscourts.gov/page-bankruptcy-local-rules>.

² The court stresses the importance of the required 9013(b) language; first, the language requires and gives notice that a response is required; second, that in the absence of a response the relief requested may be granted without further notice to you. Giving notice of a hearing without the required language does not give adequate notice to parties of a required response in opposition and that in the absence of such a response a hearing may not be held, and the unopposed relief granted.

³ Local Rule 9013-1(c) provides, in part, as follows:

If the motion may be self-calendared, this language must be added at the end of the notice:
There will be a hearing on this motion on [date] at [time] in courtroom ____, [address]”